

**CHAPTER NO. 476**

**SENATE BILL NO. 585**

**By Cohen, Kyle, Fowler**

**Substituted for: House Bill No. 1590**

**By McMillan, Maddox, Marrero, Larry Turner, John DeBerry, Sontany, Miller, Cooper, Ulysses Jones, Lois DeBerry, Kernell, Sherry Jones, Kelsey, Pleasant, Hargett, Fitzhugh, Moore, Favors, Cobb, Harmon, Coleman, Fowlkes, Bone, West, McDonald, Hargrove, Pruitt, Hackworth, Briley, Mike Turner, Hood, Ferguson, Fraley, Davidson, Curtiss, Winningham, Pinion, Shepard, Litz, Shaw, Borchert, Newton, Montgomery**

AN ACT to amend Tennessee Code Annotated, Title 3, relative to the legislature.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 3, Chapter 1, Part 1, is amended by adding the following language as a new section:

Section 3-1-115. (a) The provisions of § 8-27-203 shall not apply to persons who are appointed to fill a vacancy in the general assembly or to persons elected to fill an unexpired term in the general assembly, unless:

(1) Such person was elected to serve a full term of office as a member of the general assembly prior to such appointment or election; or

(2) Such person is elected to a full term of office as a member of the general assembly following such appointment or election to fill the unexpired term.

(b) Except as provided in subsection (a), after the effective date of this act, any person appointed to fill a vacancy in the general assembly or elected to fill an unexpired term in the general assembly is not eligible to participate in the state employees' health group insurance plan except during the general assembly in which such person fills the unexpired term of office by appointment or election.

SECTION 2. Section 1, § 2-10-128(a)(1) of Chapter No. 102 of the Public Acts of 2005, is amended by adding the following language at the end of the subdivision:

When reporting private income received from a security listed on the New York Stock Exchange, American Stock Exchange or the Nasdaq, the disclosure may state only the name of the entity, in lieu of disclosing the name and address of the entity. When reporting private income received from investments with a federal or state chartered bank, the disclosure may state only the name of the bank, in lieu of stating the name and address of the bank.

SECTION 3. (a)(1) If any person or other entity that contracts with the State of Tennessee, pays more than a two hundred dollar (\$200) fee, commission or other form of compensation for consulting services to a member of the general assembly or a member's spouse for consulting services on contracts to which the State of Tennessee is not a party and for which such consulting services are to be rendered outside the State of Tennessee, then such person or entity shall disclose the following to the registry of election finance:

(A) The name and address of the person or entity paying the fee, commission or other form of compensation;

(B) The person to whom the fee, commission or other form of compensation was paid, including the amount paid;

(C) The position of the person to whom the fee, commission or other form of compensation was paid;

(D) The date the services were rendered; and

(E) A general description of the services rendered.

(2) As used in this subsection the term "consulting services" means services performed outside the State of Tennessee which would be defined as "influencing legislative or administrative action", in § 3-6-102(11), if such services were performed in the State of Tennessee. The term "consulting services" also includes services to advise or assist a person or entity in maintaining, applying for, soliciting or entering into a contract with a state other than the State of Tennessee.

(b) The disclosure shall be on a form designed by the registry of election finance, shall be made under oath, and shall contain a statement that a false statement on the report is subject to the penalties of perjury. A disclosure form shall be filed within five (5) days of entering into a contract not involving the State of Tennessee with a member of the general assembly. Such form shall be updated annually no later than February 1, if necessary.

(c) All disclosures made to the registry pursuant to this section are public records and open for inspection during regular business hours.

(d) (1) It is a Class C misdemeanor for any person or entity to knowingly fail to file a disclosure form as required by this section.

(2) It is a Class C misdemeanor for any person or entity to file a disclosure form required by this section more than thirty (30) days after the date on which the report is due.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

**PASSED: May 28, 2005**

  
JOHN S. WILDER  
SPEAKER OF THE SENATE

  
JIMMY NAIFEH, SPEAKER  
HOUSE OF REPRESENTATIVES

**APPROVED this 20<sup>th</sup> day of June 2005**

  
PHIL BREDESEN, GOVERNOR